

jc662 U.S. PTO  
02/22/02

Attorney Docket No. SIEB011/02US

PATENT

Box Patent Application  
Commissioner for Patents  
Washington, D.C. 20231

J1050 U.S. PTO  
10/07949  
02/22/02

**NEW CONTINUATION/DIVISIONAL PATENT APPLICATION TRANSMITTAL  
UNDER 37 C.F.R. §1.53(b)**

This is a request for filing a  continuation  divisional application under 37 C.F.R. §1.53(b) of pending Patent Application No. 09/377,892 filed on August 19, 1999, entitled **METHOD OF UPGRADING A SOFTWARE APPLICATION IN THE PRESENCE OF USER MODIFICATIONS**, by the following named inventor(s):

(a) Full Name: Robert A. BRODERSEN

(b) Full Name: John L. COKER

(c) Full Name: Mark C. HASTINGS

The entire disclosure of the prior application from which a copy of the oath or declaration is supplied herewith is considered as being part of the disclosure of the accompanying application and is hereby incorporated by reference.

This application is being filed by less than all the inventors named in the prior application. In accordance with 37 C.F.R. §1.63(d)(2), the Commissioner is requested to delete the name(s) of the following person or persons who are not inventors of the invention being claimed in this application:

(a) Full Name:

(b) Full Name:

(c) Full Name:

1. Enclosed are:

A copy of the originally filed U.S. Patent Application No.09/377,892, filed August 19, 1999, entitled **METHOD OF UPGRADING A SOFTWARE APPLICATION IN THE PRESENCE OF USER MODIFICATIONS**, including:

0 pages of description (before the claims);  
 0 pages of claims (0 total claims; 0 independent claims);  
 One (1) Sheet of Abstract;  
 0 sheets of drawing(s) including Figures ; and  
 executed oath or declaration.

Application Data Sheet

A revised prior application and a copy of the prior executed oath or declaration as filed. No new matter has been added to the revised application.

(41) pages of description (before the claims);

(7) pages of claims (27 total claims; 5 independent claims);

One (1) Sheet of Abstract;

(8) sheets of drawing(s) including Figures 1-9; and

executed oath or declaration.

Preliminary Amendment

Information Disclosure Statement

New Drawings

CD-ROM or CD-R in duplicate, large table or Computer Program (Appendix)

Nucleotide and/or Amino Acid Sequence Submission

Computer Readable Form (CRF) on 3 1/2" floppy disk

Specification Sequence Listing on:

CD-ROM or CD-R (2 copies); or

paper

The content of the copy in computer readable form is identical to the content of the paper, CD-ROM, or CD-R copy of the Sequence Listing.

Nonpublication Request and Certification

Assertion of Entitlement to Small Entity Status

Check No. 11673 in the amount of \$1034.00 for the total fee calculated below.

Two return receipt postcards

Other:

2.  Please amend the specification by inserting before the first heading the following paragraph:

This application is a  continuation  divisional application of Application No. , filed , the entire content of which is hereby incorporated by reference.

3. The filing fee has been calculated as follows:

	NO. OF CLAIMS		EXTRA CLAIMS	RATE	FEE
Basic Application Fee					\$740.00
Total Claims	27	- 20 =	7	x \$18.00	126.00
Independent Claims	5	- 3 =	2	x \$84.00	168.00
If multiple dependent claims are presented, add \$280.00					0.00
Total Application Fee					1034.00
If an Assertion of Entitlement to Small Entity Status is enclosed, subtract 50% of Total Application Fee					0.00
Other fees:					0.00
<b>TOTAL FEE DUE</b>					<b>1034.00</b>

- This application is being filed without a filing fee. Issuance of a Notice to File Missing Parts of Application is respectfully requested.
- Check No. 11673 in the amount of \$1034.00 is attached.
- Please charge \$ to Deposit Account No. 50-1283 for the total fee. This paper is submitted in duplicate.
- The Commissioner is hereby authorized to charge any appropriate fees under 37 C.F.R. §§1.16, 1.17, and 1.21 that may be required by this paper, and to credit any overpayment, to Deposit Account No. 50-1283.

4.  The Power in the prior application is to Cooley Godward, LLP.

The Power appears in the original papers in the prior application.

The Power is enclosed.

Please direct all future correspondence concerning this application to:

COOLEY GODWARD LLP

ATTN: Patent Group

One Freedom Square

Reston Town Center

11951 Freedom Drive

Reston, VA 20190-5601

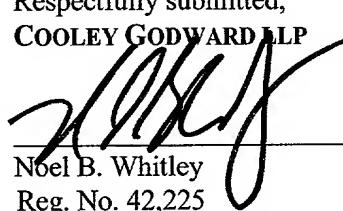
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CUSTOMER NUMBER: 022903

Respectfully submitted,

COOLEY GODWARD LLP



Noel B. Whitley  
Reg. No. 42,225

By:

Dated: February 22, 2002

inventor(s)  
 assignee of complete interest  
 attorney or agent of record  
 filed under 37 C.F.R. §1.34(a)

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